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Attorneys for Defendant Google, Inc.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CLRB HANSON INDUSTRIES, LLC d/b/a  
INDUSTRIAL PRINTING, and HOWARD  
STERN, on behalf of themselves and all others  
similarly situated,

**Plaintiff,**

V.

GOOGLE, INC.,

Defendant.

CASE NO. C 05-03649 JW

**[PROPOSED] ORDER GRANTING  
DEFENDANT GOOGLE, INC.'S  
MOTION TO DISMISS PLAINTIFFS'  
COMPLAINT**

Fed. R. Civ. P. 12(b)(6), 9(b)

Date: December 5, 2005

Time: 9:00 a.m.

Place: Courtroom 8

Judge: Honorable James Ware

[PROPOSED] ORDER GRANTING DEFENDANT  
GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS'  
COMPLAINT  
CASE NO: C 05-03649 JW

Defendant Google, Inc.'s Motion to Dismiss Plaintiffs' Complaint and each cause of action therein, brought pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), having come on for hearing, the Court having considered all relevant documents and evidence and having considered the arguments of counsel, and good cause appearing therefor:

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Plaintiffs' Complaint is granted and plaintiffs' complaint is dismissed in its entirety, without leave to amend, pursuant to Federal Rule of Civil Procedure 12(b)(6), and that plaintiffs' claims for fraud and negligent misrepresentation are also dismissed for lack of specificity, pursuant to Federal Rule of Civil Procedure 9(b).

DATED: , 2005

Honorable James Ware  
U.S.D.C., Northern District of California

Respectfully submitted:

PERKINS COIE LLP

By \_\_\_\_\_ /s/  
David T. Biderman

Attorneys for Defendant  
GOOGLE, INC.